UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/853,835	05/10/2001	William Ray Cooley	P0367	6454

23735	7590	03/01/2005		

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EXAMINER
HA, LEYNNA A

ART UNIT	PAPER NUMBER
2135	

DATE MAILED: 03/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
	09/853,835	COOLEY ET AL.
Office Action Summary	Examiner	Art Unit	
	LEYNNA T. HA	2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-38* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-38* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1-38 have been examined and is rejected under 35

U.S.C. 102(e).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made

in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   **Claims 1-38 are rejected under 35 U.S.C. 102(e) as being**

anticipate by Venkatesan, et al. (US 6,801,999).

As per claim 1:

Venkatesan, et al. discloses a method of regulating access to a website by

a user terminal via the internet, the user terminal reading a document

including an embedded digital watermark, said method comprising the

steps of:

at the user terminal, extracting identifying data from the digital

watermark, and providing the identifying data to a central computer;

[col.5, lines 30-32 and col.11, lines 29-30]

at the central computer:

identifying a pointer associated with the identifying data; **[col.5,**

lines 26-29]

generating at least one component of response information; storing

the response information; and **[col.5, lines 33-45]**

providing the pointer and response information to the user

terminal; **[col.13, lines 31-35 and col.17, lines 9-12]**

at the user terminal, communicating with the website via the

pointer and providing the response information to the website; **[col.13,**

lines 55-59]

at the website, communicating verification information to the

central computer; and **[col.11, lines 34-35]**

at the central computer, verifying authority to access the website

based at least in part on a comparison of the verification information and

the stored response information. **[col.11, lines 35-46]**

As per claim 2:   See col.14, lines 10-15; discussing the identifying data

comprises a document identifier.

As per claim 3:   See col.13, lines 57-58 and col.29, lines 11-13;

discussing the pointer comprises at least one of a URL, IP address and

web address.

As per claim 4: See col.13, line 35 and col.27, lines 10-14; discussing

at least one component comprises a random number.

As per claim 5: See col.25, lines 20-22; discussing generating at least

a second component, the second component comprising a time stamp.

As per claim 6: See col.13, line 35 and col.25, lines 20-22; discussing

the response information comprises at least the random number and the

time stamp.

As per claim 7: See col.13, line 35 and col.25, lines 20-22; discussing

the verification information comprises at least the random number, the

time stamp and a valid identifier.

As per claim 8: See col.11, lines 40-45 and col.17, lines 35-49;

discussing said verifying authority step comprises the steps of indexing

the stored response information via the communicated random number

and determining whether the stored document identifier matches the

valid identifier and whether the verification information is received within

a predetermined time period.

As per claim 9: See col.11, lines 33-46; discussing when the stored

document identifier matches the valid identifier within the predetermined

time period, said method further comprising the step of authorizing user

terminal access to the website.

As per claim 10: See col.17, lines 50-64; discussing when the stored

document identifier does not match the valid identifier or the verification

information is not received within the predetermined time period, said

method further comprises the step of signaling a lack of authority for the user terminal to access the website.

As per claim 11: See col.17, lines 50-64; discusses verifying authority step comprises the steps of indexing the stored response information via the valid identifier and determining whether the stored random number matches the communicated random number, and whether the verification information is received within a predetermined time period.

As per claim 12: See col.14, line 15 and col.18, line 49; discusses encrypting at least one component of the of the response information.

As per claim 13: See col.27, lines 10-13; discussing the document identifier is randomly generated.

As per claim 14:

Venkatesan teaches a method of authenticating permission to access a system comprising the steps of:

receiving a request to enter the system, the request including at least a verification key; **[col.21, lines 55-56 col.27, lines 10-13]**

querying a data structure to determine whether the verification key is authorized; and **[col.22, lines 32-43]**

allowing access to the system based on the response to the query.

[col.22, lines 55-60]

As per claim 15: See col.13, lines 57-58 and col.29, lines 11-13; discussing a website.

As per claim 16: See col.13, lines 57-58 and col.29, lines 11-13;

discussing receiving step comprises a user terminal signaling the

website.

As per claim 17: See col.14, lines 10-15 and col.27, lines 10-13;

discussing verification key comprises a first random number, and the

data structure comprises at least one data record including a second

random number and a first identifier.

As per claim 18: See col.17, lines 32-64; discussing the verification key

further comprises a first time stamp and the data record further includes

a second time stamp.

As per claim 19: See col.17, lines 32-64; discussing indexes the data

record via the first random number, the first and second random

numbers being equal, determines whether the first identifier matches the

second identifier, and whether the first time stamp is within a

predetermined time range based on the second time stamp, and signals

to the system whether the first identifier matches the second identifier

and whether the first time stamp is within the predetermined time range.

As per claim 20: See col.25, lines 7-8; discussing the first identifier

comprises an identifier extracted from a digital watermark.

As per claim 21: See col.22, lines 32-43 and col.27, lines 10-20;

discussing indexes the data record via the second identifier, the first

identifier and second identifier being equal, determines whether the first

random number matches the second random number, and signals to the

system whether the first random number matches the second random

number and whether the verification information is received within a

predetermined time.   ·

As per claim 22:

Venkatesan discloses a system for exchanging data comprising:

a central server comprising at least one database including

response information and pointer information **[col.13, lines 32-35 and**

col.18, lines 62-67], wherein when a user terminal communicates an

extracted watermark identifier to said central server, said central server

identifies a corresponding URL with the extracted watermark identifier

[col.23, lines 46-51], and wherein said central server generates a

number, and stores the number and extracted watermark identifier in

the database as response information. **[col.31, lines 58-65]**

As per claim 23: See col.11, lines 39-45 and col.15, lines 51-52;

discussing at least one database comprises a first database for storing

pointers and a second database for storing response information.

As per claim 24: See col.25, lines 20-22; discussing server further

generates a time stamp and stores the time stamp with the response

information.

As per claim 25: See col.13, line 35 and col.25, lines 20-22; discussing

the number comprises at least one of a random number, a pseudo-

random number, and a predetermined number.

As per claim 26:

Venkatesan teaches a method of operating a computer server, the computer server to communicate with at least one user terminal, said method comprising the steps of:

receiving a document identifier from the user terminal; **[col.14, lines 10-15]**

identifying a pointer associated with the document identifier; **[col.5, lines 26-29 and col.13, lines 31-35]**

generating at least one component of response information;

storing the response information; and **[col.5, lines 33-45]**

providing the pointer and response information to the user terminal. **[col.13, lines 55-59 and col.17, lines 9-12]**

As per claim 27: See col.14, lines 6-15; discussing the document identifier comprises an identifier embedded in the form of a digital watermark.

As per claim 28: See col.13, lines 57-58 and col.29, lines 11-13; discussing the pointer comprises at least one of a URL, IP address and web address.

As per claim 29: See col.13, line 35 and col.27, lines 10-14; discussing the at least one component comprises a random number.

As per claim 30: See col.17, lines 9-12 and col.25, lines 16-23; discussing the response information further comprises a time stamp.

As per claim 31: See col.13, line 35 and col.25, lines 20-22; discussing

the response information comprises at least a random number and a time stamp.

As per claim 32: See col.11, lines 40-45 and col.17, lines 35-49; discussing a step of verifying data, wherein said verifying data step comprises the steps of indexing the stored response information via a second random number, and determining whether the stored document identifier matches a valid identifier.

As per claim 33: See col.11, lines 40-45 and col.17, lines 35-49; discussing when the stored document identifier matches the valid identifier, said method further comprises the step of authorizing user terminal access.

As per claim 34: See col.17, lines 35-49; discussing when the stored document identifier does not match a valid identifier, said method further comprises the step of signaling a lack of authority for the user terminal.

As per claim 35: See col.11, lines 40-45; discussing verifying data step comprises the steps of indexing the stored response information via a valid identifier and determining whether the stored random number matches a second random number.

As per claim 36: See col.14, line 15 and col.18, line 49; discussing encrypting at least one component of the response information.

As per claim 37: See col.13, line 35 and col.27, lines 10-14; discussing the document identifier is randomly generated.
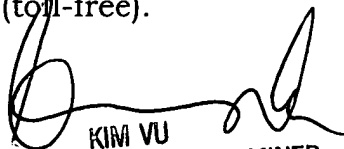
As per claim 38: See col.17, lines 9-61; discussing a data record stored

on a computer readable medium, said data record comprising a

watermark identifier, a randomly generated number, and a time stamp.

Conclusion

Any inquiry concerning this communication or earlier

communications from the examiner should be directed to LEYNNA T. HA

whose telephone number is (571) 272-3851. The examiner can normally

be reached on Monday - Thursday (7:00 - 5:00PM).

If attempts to reach the examiner by telephone are unsuccessful,

the examiner's supervisor, Kim Vu can be reached on (571) 272-3859.

The fax phone number for the organization where this application or

proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained

from the Patent Application Information Retrieval (PAIR) system. Status

information for published applications may be obtained from either

Private PAIR or Public PAIR. Status information for unpublished

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information about the PAIR system, see http://pair-direct.uspto.gov.

Should you have questions on access to the Private PAIR system, contact

the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KIM VU
SUPERVISORY PATENT EXAMINER
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